

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RONNIE FRANKLIN ONLEY,
Plaintiff,

v.

D. DAVIS, et al.,
Defendants.

Case No. [22-cv-05276-DMR](#) (PR)

ORDER OF TRANSFER

Plaintiff, a state prisoner currently incarcerated at High Desert State Prison ("HDSP"), has filed a *pro se* civil rights action pursuant to 42 U.S.C. § 1983.

This case has been assigned to the undersigned Magistrate Judge. Dkt. 4. Plaintiff has filed an *in forma pauperis* application and a motion for appointment of counsel. Dkts. 2, 3.

The acts complained of occurred at HDSP in Susanville, California, which is located in the Eastern District of California, and it appears that defendants reside in that district. Venue, therefore, properly lies in that district and not in this one. *See* 28 U.S.C. §1391(b).

Accordingly, in the interest of justice and pursuant to 28 U.S.C. § 1406(a), this action is TRANSFERRED to the United States District Court for the Eastern District of California.¹ The Clerk of the Court shall transfer the case forthwith.

All remaining pending motions are TERMINATED on this court's docket as no longer pending in this district. Dkts. 2, 3.

IT IS SO ORDERED.

Dated: October 11, 2022



DONNA M. RYU
United States Magistrate Judge

¹ Venue transfer is a non-dispositive matter and, thus, it falls within the scope of the jurisdiction of the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(A).